

## REMARKS

This is intended as a full and complete response to the Office Action dated September 3, 2008, having a shortened statutory period for response set to expire on December 3, 2008.

Claims 83-115 and 117-120 remain pending in the application and are shown above. Claim 116 has been cancelled. Dependent claims 119 and 120 are newly presented. Please reconsider the claims pending in the application for reasons discussed below.

### *Interview Summary*

A telephonic interview was conducted on October 2, 2008 between the Examiner, Walt Grollitsch and Aaron Perkins. Claims 83 and 118 were discussed along with the reference to *Amin*. An agreement was reached with respect to amendments to claim 83, as reflected in this response. The agreement was subject to an updated search and further consideration.

### *Claim Rejections Under 35 U.S.C. § 102*

Claims 98-113 are rejected under 35 U.S.C. § 102(e) as being anticipated by *Amin* (U.S. 6,536,528).

*Amin* teaches that the fluid flow in product flow line 16 to a host platform 100 should be kept separate from the floating platform 20 and umbilical 22. See col. 5, lines 12-15; col. 2, lines 44-54; claim 1 (col. 5, lines 24-28). In *Amin*, chemical injection umbilical lines 18 with ports 50 can be used for subsea pumping, chemical injection, pigging, mitigating wax buildup, or injection of heated fluids. See col. 4, line 63 – col. 5, line 10. However, *Amin* does not teach or suggest using umbilical 22 or chemical injection umbilical lines 18 with ports 50 for diverting fluid from the pipeline to the floating platform 20. *Amin* does not teach or suggest connecting first and second tubulars between a floating vessel and a pipeline, and intervening through the second tubular while diverting fluid through the first tubular, as set forth in claim 98. Applicants therefore respectfully submit that claim 98 and dependent claims 99-107 are in

condition for allowance.

Similarly, *Amin* does not teach or suggest establishing first and second communication pathways between an offshore location and a pipeline, and intervening through the second communication pathway while fluid is diverted through the first communication pathway, as set forth in claim 98. Applicants therefore respectfully submit that claim 108 and dependent claims 109-114 are in condition for allowance.

Newly presented claim 119 depends from claim 108 and recites that the offshore location is a floating vessel. Applicants respectfully submit that claim 108 is allowable, as set forth above, and therefore, dependent claim 119 is also allowable.

#### ***Claim Rejections Under 35 U.S.C. § 103***

Claims 83-95, 97, and 115-117 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Amin*, in view of *Hicks* (U.S. 6,012,878).

Independent claim 83 has been amended to recite that the second tap is formed in the existing pipeline while the fluid flow is diverted via the first tap to a storage site at a secondary location, per the agreement reached in the interview on October 2, 2008. These features are not taught or suggested in *Amin* at least because *Amin* does not teach diverting the fluid flow from a primary location to a storage site at a secondary location.

Furthermore, these features are not taught or suggested in *Hicks*. *Hicks* teaches using two taps around a damaged area in the pipeline to permit installation of a bypass. Col. 5, lines 31-35. However, *Hicks* does not teach diverting the fluid from a primary location to a storage site at a secondary location, as recited in independent claim 83. Applicants therefore respectfully submit that claim 83 and dependent claims 84-95 and 97 are in condition for allowance.

With respect to claim 115, nothing in *Amin* suggests that umbilical 22 or the chemical injection umbilical lines 18 with ports 50 can be used for diverting fluid to a storage site on an offshore vessel. Furthermore, *Hicks* discloses a subsea tapping machine, but does not teach or suggest diverting fluid flow to a storage site on an offshore vessel, as recited in claim 115. Applicants therefore respectfully submit that

claim 115 and dependent claim 117 are in condition for allowance.

Claim 116 has been cancelled, rendering the rejection of claim 116 moot.

Claims 96 and 114 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Amin, and/or Hicks, as applied to claims 83 and 108 above, and further in view of *Hansen* (EP1184537).

In rejecting claim 96, the Examiner relies on *Hansen* as teaching "injecting an acid to remove blockages (scaling) and stimulating the well." However, *Hansen* does not teach diverting the fluid from a primary location to a storage site at a secondary location, as recited in independent claim 83. As set forth above, applicants submit that claim 83 is allowable. Applicants therefore respectfully submit that claim 96, as a dependent of claim 83, is allowable.

Claim 114 depends from independent claim 108. As set forth above, applicants respectfully submit that claim 108 and its dependents, including claim 114, are allowable.

Applicants read the Office Action as rejecting claim 118 under 35 U.S.C. § 103(a) as being unpatentable over *Amin*, in view of *Hicks* and/or *Hansen*. *Amin* does not teach or suggest that chemical injection umbilical lines 18 can be used for an intervention flow path from floating platform 20 while fluid flows through a diversionary flow path to a secondary storage unit on the floating platform 20. *Hicks* discloses an undersea tapping mechanism, and *Amin* discloses injecting acid to stimulate a well.

The references do not disclose forming a diversionary flow path and an intervention flow path between a floating vessel and a pipeline, and intervening through the intervention flow path while fluid flows through the diversionary flow path, as set forth in claim 118. Applicants therefore respectfully submit that claim 118 is in condition for allowance.

Newly presented claim 120 depends from claim 118 and recites that connecting the second tubular is accomplished while fluid flows through the diversionary flow path. As set forth above, applicants submit that claim 118 is allowable. Applicants therefore

### CONCLUSION

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicant's disclosure than the primary references cited in the office action. Therefore, Applicant believes that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed.

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully requests that the claims be allowed.

Respectfully submitted,  
**S-signed pursuant to 37 CFR 1.4,**

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